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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,910	01/20/2004	Taku Kodama	6453P028	4418
8791 7590 07/30/2008 BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040				
EXAMINER ABDI, AMARA				
ART UNIT 2624		PAPER NUMBER		
MAIL DATE 07/30/2008		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/761,910

Applicant(s)

KODAMA ET AL.

Examiner

Amara Abdi

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 35, 36 and 38-41 is/are pending in the application.
- 4a) Of the above claim(s) 1-34, 37 and 42 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 35, 36 and 38-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/02/2008 has been entered.

Applicant's response to the last office action, filed June 02nd, 2008 has been entered and made of record.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 35-36, and 38-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sano et al. (US 7,127,117) in view of Ihara (US 7,388,682) and Miled et al. (US-PGPUB 2004/0091158).

(1) Regarding claims 35 and 40:

Sano et al. disclose an image compression method and apparatus (column 1, line 19-20) comprising:

a compression unit (step S1 in Fig. 31) to generate encoded data by dividing an input image into a plurality of divided regions (column 20, line 11-12) and perform a compression process for each of the divided regions (column 20, line 6-7) ;

a storage (101 in Fig. 33) to store the encoded data generated by the compression unit (column 21, line 20); and an expansion unit (S16 in Fig. 32) to expand the encoded data stored in the storage (column 20, line 47-50).

Sano et al. do not explicitly mention the first setting unit to set one or a plurality of aspect ratios and /or one or a plurality of sizes corresponding to a display unit of the external device; and the second setting unit to set one or a plurality of image regions within the input image, having at least one of at least one aspect ratio and at least one size set by the first setting unit, and to set boundaries of the divided regions subject to the compression process of the compression unit so as to match boundaries of the image regions.

(a) Obviousness in view of Ihara

Ihara, in analogous environment, teaches an image processing method and apparatus, where setting one or a plurality of aspect ratios and /or one or a plurality of sizes corresponding to a display unit of the external device (column 9, line 53-57).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the system of Ihara, where setting the aspect ration and size corresponding to display, in the system of Sano et al., in order to simplify the processing of printing to cope with variable printing demands without imposing severe load on the printing apparatus.

(b) Obviousness in view of Miled et al.

Miled et al., in analogous environment, teaches a region-of-interest tracking method and device, where setting one or a plurality of image regions within the input image (paragraph [0084], line 19-21), and to set boundaries of the divided regions subject to the compression process of the compression unit (paragraph [0084], line 15-18) so as to match boundaries of the image regions (paragraph [0064], line 1-4). ("Having at least one aspect ratio and at least one size" was described by Kahn et al.).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the system of Miled et al., where setting the image region, in the system of Sano et al. in order to provide a method and device for tracking at least a portion of an object in a sequence on images (paragraph [0013], line 1-5).

(2) Regarding claim 38:

Sano et al. disclose an image compression apparatus (column 1, line 19-20), (the compression apparatus is read as an image processing apparatus), comprising:

a compression unit (step S1 in Fig. 31) to generate encoded data by dividing an input image into a plurality of divided regions (column 20, line 11-12) and perform a compression process for each of the divided regions (column 20, line 6-7) ;

a storage (101 in Fig. 33) to store the encoded data generated by the compression unit (column 21, line 20); and an expansion unit (S16 in Fig. 32) to expand the encoded data stored in the storage (column 20, line 47-50).

Sano et al. do not explicitly mention the first setting unit to set one or a plurality of aspect ratios and /or one or a plurality of sizes corresponding to a display unit of the

external device; and the second setting unit to set one or a plurality of image regions within the input image, having at least one of at least one aspect ratio and at least one size set by the first setting unit, and to set boundaries of the divided regions subject to the compression process of the compression unit so as to match boundaries of the image regions;

(a) Obviousness in view of Ihara

Ihara, in analogous environment, teaches an image processing method and apparatus, where setting one or a plurality of aspect ratios and /or one or a plurality of sizes corresponding to a display unit of the external device (column 9, line 53-57).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the system of Ihara, where setting the aspect ration and size corresponding to display, in the system of Sano et al., in order to simplify the processing of printing to cope with variable printing demands without imposing severe load on the printing apparatus.

(b) Obviousness in view of Miled et al.

Miled et al., in analogous environment, teaches a region-of-interest tracking method and device, where using an electronic camera (Fig. 1, paragraph [0096], line 1) comprising an image unit pick up of an image (paragraph [0096], line 5-7), and setting one or a plurality of image regions within the input image (paragraph [0084], line 19-21), and to set boundaries of the divided regions subject to the compression process of the compression unit (paragraph [0084], line 15-18) so as to match boundaries of the image

regions (paragraph [0064], line 1-4). ("Having at least one aspect ratio and at least one size" was described by Kahn et al.).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the system of Miled et al., where setting the image region, in the system of Sano et al. in order to provide a method and device for tracking at least a portion of an object in a sequence on images (paragraph [0013], line 1-5).

(3) Regarding claims 36, 39, and 41:

Sano et al. disclose all the subject matter as described in claim 35 above.

Sano et al. do explicitly mention that the image region is set as a region of interest (ROI) of the compression process of the compression unit.

Miled et al., in analogous environment, teaches a region-of-interest tracking method and device, where the image region is set as a region of interest (ROI) (paragraph [0083], line 12-19).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the system of Miled et al., where the image region is set as a region of interest (ROI), in the system of Sano et al. in order to provide a method and device for tracking at least a portion of an object in a sequence on images (paragraph [0013], line 1-5).

Contact Information:

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amara Abdi whose telephone number is (571)270-1670.

The examiner can normally be reached on Monday through Friday 8:00 Am to 4:00 PM E.T..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jingge Wu can be reached on (571) 272-7429. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Amara Abdi/
Examiner, Art Unit 2624

/Brian Q Le/
Primary Examiner, Art Unit 2624